

2112/685

THE STATE OF TEXAS
COUNTY OF HARRIS

758656
KNOW ALL MEN BY THESE PRESENTS:

That Diamond Alkali Company, a Delaware corporation having a permit to do business in the State of Texas, acting herein by its officers duly authorized hereunto, for and in consideration of One Dollar (\$1.00) cash to it in hand paid by Kolker Chemical Works, Inc., a corporation, the receipt of which is hereby acknowledged and confessed, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said Kolker Chemical Works, Inc., a right-of-way to lay, maintain, operate, replace, change and remove pipe lines to be used for the transportation of water and sewage upon, over, under and through the following described land situated in the County of Harris, State of Texas:

A tract of land 20 feet in width in the Richard and Robert Vince Survey, Harris County, Texas, running from the Harris County Houston Ship Channel Navigation District right-of-way to Green's Bayou, the southeast edge of said right-of-way being the southeast boundary line of the SECOND TRACT of land conveyed to J. F. Hedding, Trustee, by H. L. Nicholson, Administrator de bonis non with will annexed of the Estate of R. E. Brooks, Deceased, dated August 2, 1945, filed for record August 4, 1945 in the Deed Records of Harris County, Texas, under said County Clerk's office file No. 262,739, and the northwest edge of said right-of-way being 20 feet at right angles from said southeast boundary line and parallel thereto.

The undersigned, Diamond Alkali Company, retains for itself, its successors or assigns the right to fully use the premises covered by the aforementioned easement for the purpose of maintaining, constructing, operating, replacing, changing, and removing pipe lines for the transportation of any substance whatsoever, except that Diamond Alkali Company, its successors and assigns shall not interfere with the rights herein granted to Kolker Chemical Works, Inc.

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The said Kolker Chemical Works, Inc. hereby agrees to pay any damages which may result from its acts and/or omissions in laying, maintaining, operating, replacing, changing or removing said pipe lines; such damage, if any, if not mutually agreed upon, to be ascertained and determined by three disinterested persons, one of whom shall be appointed by the undersigned owner, its successors or assigns, one by Kolker Chemical Works, Inc., its successors and assigns, and the third by the two so appointed as aforementioned; and the award of such three persons shall be final and conclusive.

Kolker Chemical Works, Inc. further agrees to bury and maintain all pipe lines below plow depth.

Should Kolker Chemical Works, Inc. abandon the use of this easement for the purposes aforementioned for any period of twenty-four months consecutively, this easement and all rights hereunder granted shall cease and terminate.

It is understood and agreed that this easement is executed and delivered without warranty of any kind except by, through and under grantor.

All terms and provisions of this instrument shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

IN TESTIMONY WHEREOF, the said Diamond Alkali Company has caused this instrument to be executed by its duly authorized officers this 20th day of June 1950.

DIAMOND ALKALI COMPANY,

By [Signature]
Treasurer

ATTEST:

[Signature]
Secretary

THE STATE OF OHIO
COUNTY OF CUYAHOGA

BEFORE ME, the undersigned authority, on this day personally appeared A. W. Crossley, Treasurer of Diamond Alkali Company, a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office, this 20th
day of June 1950.

Notary Public in and for
Cuyahoga County, Ohio.

ROBERT D. DANIELS

Filed for Record June 23, 1950, at 2:10 o'clock P.M.
Recorded July 10, 1950, at 9:08 o'clock A.M.
W. D. MILLER, Clerk County Court, Harris County, Texas.
BY Olivia M. Murchison Deputy